

branding was alleged for the further reason that certain statements, to wit, "The Baby's Friend" and "Guaranteed by Murphey Medicine Co., under the Food and Drugs Act, June 30, 1906," borne on the cartons and bottles aforesaid, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article was a preparation which could be administered to infants with safety to health, and that it conformed with the requirements of the Food and Drugs Act, whereas, in truth and in fact, the article could not be administered to children with safety to health, in that it contained opium which rendered it unsafe to be administered to children, and it did not conform with the requirements of the Food and Drugs Act.

On November 24, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

S554. Misbranding of Gray's Ointment. U. S. * * * v. 71½ Dozen Packages of Drug Products. Order by consent for release of product under bond. (F. & D. No. 10837. I. S. No. 6817-r. S. No. C-1364.)

On July 16, 1919, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 71½ dozen packages of drug products, labeled in part "W. F. Gray's Genuine Ointment," at Houston, Tex., alleging that the article had been shipped by W. F. Gray & Co., Nashville, Tenn., on or about April 7, 1919, and transported from the State of Tennessee into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "For Burns, Scalds, Rheumatism, Tic-douloureux, Poisonous Bites of Spiders * * * or from having come in contact with Poisonous Plants; Broken Breasts, Sore Nipples and Carbuncles * * * Fistula * * * Injured Spine, Swellings of all kinds, * * * Sore Throat * * *;" (circular) "For the relief of * * * Ulcers of long or short standing * * * Scrofulous and other Tumors, including White Swellings * * * Old or Fresh Wounds, Gunshot Wounds * * * Swellings and Inflammations of all kinds; Rheumatic and other Pains * * * Scald Head, Tetter on the head or any other part of the body * * * Carbuncles, Cancerous Affections, Gangrene, Eruptions of all kinds * * * Dog, Snake, Spider, and other Poisonous Bites, Broken Breasts, Sore Nipples * * * Injured Spine, Sore Eyes, Swellings of all kinds * * * Sore Throat * * * Pleurisy and Pneumonia * * * Splint, Wind Galls, Fistula * * * in early stages of Inflammatory Rheumatism and Soreness about the Breast * * * this ointment stands unrivaled * * * in the course of two or three hours the system is thrown into a gentle perspiration and all pain or soreness is rapidly removed * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was composed essentially of oxid and acetate of lead, linseed oil, a solid fat, beeswax, and a small amount of oil of turpentine.

Misbranding of the article was alleged in substance in the libel for the reason that the labeling appearing on the carton and in the circular contained in each of said cartons, as aforesaid, regarding the curative or therapeutic effect of said drug products or medicine, was false and fraudulent in that said drug or medicine contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 15, 1920, W. F. Gray & Co., Nashville, Tenn., claimant, having entered an appearance, order by consent was entered providing that the product be

released to said claimant upon payment of the costs of the proceedings and the filing of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the product be relabeled.

E. D. BALL, *Acting Secretary of Agriculture.*

8555. Misbranding of Injection Zip. U. S. * * * v. 11½ Dozen Bottles of Injection Zip. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10850. I. S. No. 13306-r. S. No. E-1652.)

On July 18, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11½ dozen bottles of Injection Zip, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article was shipped by the Baker-Levy Chemical Co., Indianapolis, Ind., on or about August 2, and September 12, 1918, and transported from the State of Indiana into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of acetates and sulphates of lead and zinc, with small amounts of opium and berberine, in alcohol and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the bottles and cartons containing the article and in the accompanying circulars, regarding the curative and therapeutic effects thereof, to wit, (bottle) "Injection Zip * * * This injection is an excellent preparation and cannot produce stricture * * *," (carton) "Injection Zip * * *," (circular) "* * * for the treatment of Gonorrhœa, Gleet and Leucorrhœa * * * a tried preparation for the above diseases * * * Ladies troubled with Leucorrhœa will obtain a speedy relief * * *," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8556. Misbranding of Ludlum's Paste. U. S. * * * v. 1½ Dozen Packages of Ludlum's Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10856. I. S. No. 13446-r. S. No. E-1629.)

On July 8, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1½ dozen packages of Ludlum's Paste, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Williams Mfg. Co., Cleveland, Ohio, on or about December 1, 1917, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of copaiba, cubebs, and oil of sassafras in a fatty base.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the circulars accompanying the article,